IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 30TH NOVEMBER 2006 / 9TH AGRAHAYANA 1928

WP(C).No. 29422 of 2006(C)

PETITIONER:

MUHAMMAD SHABEEK,
EP2/142 A, MAYA BAZAR,
VADAKKEKARA, EDAVANACADU,
KOCHI TALUK.

BY ADV. SRI.C.S.ABDUL SAMMAD
SRI.V.D.BALAKRISHNA KARTHA

RESPONDENTS:

THE BRANCH MANAGER,
PALLURUTHY MANDALAM
SERVICE CO-OP. BANK LTD. NO. 65,
PALLURUTHY, KOCHI-6.

BY ADV. SRI.M.V.JOSEPH
SRI.JIMMY GEORGE

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 29422 of 2006(C)

APPENDIX

PETITIONER'S EXTS:-

EXT.P1	TRUE COPY OF THE DEATH CERTIFICATE DATED 13/05/2005 ISSUED BY THE HEALTH OFFICER, CORPORATION OF KOCHI.
EXT.P2	TRUE COPY OF THE SALE DEED NO.758 DATED 10/03/1980 OF KOCHI SUB REGISTRY
EXT.P3	TRUE COPY OF THE REPRESENTATION DATED 30/11/2005 FROM THE VILLAGE OFFICER, EDAVANACADU
EXT.P4	TRUE COPY OF THE REPRESENTATION DATED 26/05/2006 SUBMITTED BY THE PETITIONER TO THE RESPONDENT

\\TRUE COPY //

P.A TO JUDGE

J.M.JAMES, J.

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W.P.(C) No. 29422 of 2006 (C)

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Dated this the 30th day of November, 2006

J U D G M E N T

Late Abdul Latheef pledged the title deeds, in relation to his properties and availed a loan of Rs.75,000/-. On his death, his sister as well as the writ petitioner, his son, approached the respondent bank for return of the title deeds on payment of the loan amount together with interest thereon. As the respondent refused, the son is before this Court, through this writ petition, to direct the bank to return the title deeds.

2. After hearing both sides, I dispose of the writ petition directing the writ petitioner to approach the respondent bank and the respondent shall consider Exhibit P4 representation, filed by the writ petitioner, hear him as well as anyone else, who approach the bank, as per the law, and dispose of the same, within two months from the date of receipt of the copy of this judgment.

(J.M.JAMES)
Judge

ms